



#13 / Reg for
Refund

04-29-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Worthington et al. Attorney Docket No.: HERO-1-1053
Serial No.: 09/163,807 Group Art Unit: 3736
Filed: September 30, 1998 Examiner: M. Astorino
Title: DIABETES MANAGEMENT SYSTEM AND METHOD FOR
CONTROLLING BLOOD GLUCOSE

**PETITION
FOR REFUND OF OVERPAID LARGE-ENTITY FEES
UNDER 37 C.F.R. § 1.26 and 1.27(g)(1) Refunds**

TO THE COMMISSIONER OF PATENTS:

REMARKS

The applicant hereby respectfully petitions, pursuant to 37 C.F.R. § 1.26 and 1.27(g)(1), for a refund of large-entity fees mistakenly paid.

The above-identified application was filed with a small-entity status claim. The applicant became a large entity on August 7, 2001. After the applicant became a large entity, the applicant paid \$890, the large entity fee for a petition for extension for response (to Office Action) within third month. Because of 37 C.F.R. § 1.27(g)(1), which states:

Once status as a small entity has been established in an application or patent, fees as a small entity may thereafter be paid in that application or patent without regard to a change in status until the issue fee is due or any maintenance fee is due.

The applicant respectfully requests the refund of \$445, which is the difference between large and small entity fees paid for the petition for extension for response (to Office Action) within third month.

BLACK LOWE & GRAHAM^{PLLC}

Refunds can be placed in deposit account number 501050.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}

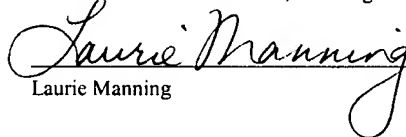


Michael S. Smith
Registration No. 39,563
Direct Dial: 206.749.9888

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: Commissioner for Patents, Washington D.C., 20231.

March 15, 2002
Date of Deposit


Laurie Manning